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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER  
MANHATTAN DISASTER SITE LITIGATION

SEE ATTACHED "EXHIBIT A"

CASE No.: 21MC102 (AKH)

STIPULATION OF DISCONTINUANCE AS  
TO DEFENDANTS, NATIONAL  
ASSOCIATION OF SECURITIES DEALERS,  
INC., NASDAQ STOCK MARKET, INC., AND  
NEW YORK CITY INDUSTRIAL  
DEVELOPMENT AGENCY, ONLY.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned for the parties in the cases listed in the attached exhibit, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendants, and to the extent of Plaintiff(s) can so stipulate that each claim, cross-claim and counter-claim asserted by and against defendants NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., AND NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, only as to the claims being made as to the premises located at One Liberty Plaza, New York New York and for the cases listed in the attached exhibit shall be and the same hereby are discontinued without prejudice without costs to any party as against the other.

IT IS HEREBY STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., AND NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY are proper parties to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert a Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York  
February 16, 2013

MCGIVNEY & KLUGER, P.C.  
Attorneys for Defendant  
NATIONAL ASSOCIATION OF SECURITIES  
DEALERS, INC., NASDAQ STOCK MARKET, INC.,  
AND NEW YORK CITY INDUSTRIAL  
DEVELOPMENT AGENCY

By: 

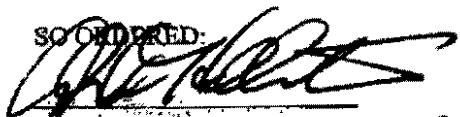
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(212) 509-3456

GREGORY J. CANNATA & ASSOCIATES  
Attorney for Plaintiff(s)

By: 

Robert Grachow, Esq.  
233 Broadway, Floor 5  
New York, NY 10279  
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SO ORDERED:

  
2-19-13

**EXHIBIT A**

| <b>PLAINTIFF'S NAME</b> | <b>INDEX</b> |
|-------------------------|--------------|
| Arce, Monica            | 06cv05323    |
| Foremska, Lucyna        | 05cv3090     |